11/16/23 • BIG CHEMICAL › NEWS

# 'Parents Should Be Outraged': Congress Weighs Legislation to Wipe Out State, Local Laws Designed to Protect Kids From Pesticide Exposure

*Lawmakers are considering several bills that would block states and cities from limiting pesticides, even for farm fields located close to thousands of U.S. schools. Critics warn the measures threaten safeguards for children's health and override states' authority over toxic risks.*

By Suzanne Burdick, Ph.D.

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Federal lawmakers are weighing multiple proposals that could block state and local authorities from limiting pesticide use in their communities — even near where kids play and learn.

This news comes as a new analysis by researchers with the nonprofit Environmental Working Group (EWG) showed that more than 4,000 elementary schools in the U.S. are located within 200 feet of farm fields, where pesticides are sprayed on crops.

The report included a map of 4,028 schools close to farms, but noted that some pesticides can drift miles from the intended crop target "creating risks for children at schools beyond the thousands EWG identified."

Many pesticides are hazardous to children's health. Some are neurotoxins that impair development and others are linked to insulin resistance, a key factor in the development of diabetes, obesity, chronic kidney disease and other metabolic disorders.

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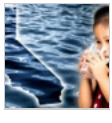
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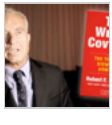
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More than 30 states in recent years have adopted stringent laws for when and how pesticides can be sprayed near schools, EWG's report said.

But those laws could be overturned if Congress approves one of three bills under consideration, according to Sen. Cory Booker (D-N.J.).

Booker — whose office organized a recent briefing on the problem of pesticides showing up in foods kids eat — said at a press conference announcing EWG's report:

> "States know that pesticide spraying is a risk to students … Despite all of that … some members of Congress are proposing to preempt all of these laws, stripping states and localities from being able to do what's necessary to protect their children."

Pesticide experts who spoke with The Defender, including Scott Faber, EWG's senior vice president of government affairs, said parents need to know about these measures and the impact they could have on pesticide use near schools.

Faber told The Defender, "Parents in every community in the country should be outraged over this scheme to allow pesticide companies and big agriculture to spray toxic crop chemicals whenever and wherever they please."

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**Safeguards could disappear**

EWG and more than 100 other national organizations wrote a letter opposing the three bills Congress could pass that would limit existing state and local authority to regulate pesticides.

One of the bills — the Ending Agricultural Trade Suppression Act, or "EATS Act" — recently came under fire from 30 law professors from leading law schools, who in a Nov. 13 letter to the leaders of the House and Senate Agriculture Committees, warned that the act "would nullify or undermine countless laws across the country, threatening public health and safety and states' abilities to govern."

The professors pointed to a recent Harvard Law School analysis concluding the EATS Act's broad language could be used to overturn more than 1,000 state laws, including "certain state and local regulations on pesticides and fertilizers."

Some citizens are concerned the EATS Act will be added to the pending Farm Bill, a sweeping piece of legislation on agriculture matters that Congress passes every five years.

The Farm Bill expired on Sept. 30 and Congress is under pressure to pass a new one.

Lawmakers this week are considering a stopgap measure that would extend the Farm Bill through next September in order to avoid a government shutdown, Politico reported.

Meanwhile, another bill that threatens state and local control of pesticide use — the Agricultural Labeling Uniformity Act — is also gaining traction as a potential amendment to the Farm Bill.

If signed into law, this bill would make it illegal for state and local authorities to issue their own label information for pesticides. Only the U.S. Environmental Protection Agency's (EPA) label would be allowed.

A pesticide's label provides health and safety information which, in turn, dictates how, where and when it can legally be sprayed.

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**States wouldn't be able to warn about glyphosate cancer risks**

Jaydee Hanson, the policy director for the Center for Food Safety (CFS), a nonprofit advocating for food safety, animal welfare and environmental justice, said he opposed the bill because the EPA "has not kept up with the latest scientific data." He told The Defender:

> "States and communities have the right to have more strict labels than EPA. This bill would undermine state oversight of pesticide safety and lower labeling standards to those of the EPA and should not be passed by Congress.
>
> "The bill would prevent labels from informing consumers that the pesticides are known toxins that might cause cancer."

The nonprofit Beyond Pesticides agreed, saying in a blog post that the bill is an attempt to preempt states — particularly big growing states like California that issue their own health and safety information — from issuing cancer warnings on products containing glyphosate, such as Roundup.

Plaintiffs in thousands of pending lawsuits claim the glyphosate-based herbicide Roundup, sold by Bayer — which bought Monsanto in 2018 — causes cancer.

Meanwhile, more than 360 agricultural organizations have thrown their support behind the Agricultural Labeling Uniformity Act.

Lobbying records show that Bayer and the industry-funded CropLife America have made passage of the Agricultural Labeling Uniformity Act a top priority, according to investigative reporter Carey Gillam.

Rep. Dusty Johnson (R-S.D.), who introduced the bill this summer, declined to tell The Defender how much money he has received from agrochemical companies, including Bayer, over the past five years. Instead, he said:

> "Farmers in South Dakota and across the country have stressed their anxieties that labeling restrictions and scare tactics from some states, which contradict decades of scientific guidance from the EPA, would be devastating for modern U.S. agriculture, our food supply, Americans' grocery bills and their livelihoods.
>
> "Rather, this bill provides certainty to farmers that by reaffirming the EPA's authority on pesticide labeling and packaging, the tools they need to provide affordable and abundant food will remain safe and available."

Similarly, CropLife said in a statement it supported the bill because the pesticides are "paramount to growing our food and keeping communities safe."

André Leu, author of "The Myths of Safe Pesticides" and "Poisoning Our Children," disagreed.

"The pesticide industry cartel, CropLife, is lying," he told The Defender. He called the bill a "draconian law that endangers children and the environment," adding:

"The Rodale Institute's 40-year report on their Farming Systems Trial ended the myth of the need for toxic pesticides and GMOs [genetically modified organisms] to achieve high yields … the report showed the regenerative organic systems had higher crop yields than the farming systems that used toxic pesticides."

For example, Leu said the institute's research showed that organic corn yields were 31% higher in drought years than conventional industrial farming systems.

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**Third bill would abolish state, local pesticide control**

Another bill, H.R.7266, introduced in 2022 by former Rep. Rodney Davis (R-Ill.), also threatens states' ability to impose buffer zones and other pesticide restrictions near schools.

The bill would amend the federal government's major pesticide act, FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act), to prohibit state and local regulation of pesticides.

Booker and EWG policy staffers said lawmakers are planning to reintroduce the bill as part of the upcoming Farm Bill or as part of a separate spending package.

The bill last year had strong support among groups representing the agriculture, landscaping and pesticide industries.

Faber said, "So-called red and blue states alike across the country have tough pesticide safety laws in place to protect children — but those safeguards could all disappear if a small group in Congress gets its way."

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**Suzanne Burdick, Ph.D.**

Suzanne Burdick, Ph.D., is a reporter and researcher for The Defender based in Fairfield, Iowa.

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Anonymous

15 days ago

It's NOT about Democrats or Republicans. They are all owned by the elites. All mainstream media corporations are owned by the same people. All politicans are puppets who have no choice but to comply with the elite globalist agenda. anyone who dosen't comply is censored or worse.

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**BChristine** Anonymous
15 days ago
That's it in a nutshell. How sad for this country.
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**Steven Berge**
15 days ago
Sounds like a conspiracy! Covid didn't do the job so they have to increase the other agents that sicken and kill the masses.
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**r2bzjudge**
14 days ago
"Another bill... also threatens states' ability to impose buffer zones and other pesticide restrictions near schools."

I am guessing that the federal lawmaker who introduced this bill, doesn't have children who attend those probably public schools.
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**A. Miller**
15 days ago
Why aren't the organizers and leaders of these nefarious and undemocratic machinations being outed? Let the people know who they are and where they can be found. They should not be allowed to plan and execute their devious, satatanic, anti-American agenda in secret.
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**mcwinaz**
15 days ago
Well, the EATS ACT is Republican-driven.

The other 2 bills mentioned has one sponsored by R's, the other a mix of R and D's. Contact these loser Reps if you live in these states.
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**Isaiah53_5**
9 days ago
The U.S. Constitution does NOT give Congress the power to regulate using pesticides in states.
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**r2bzjudge**
14 days ago
$$$
Regenerative organic systems don't make money for pesticide makers. Back in the 1920's, president Calvin Coolidge said that the business of America is business. Big business has big money, with which to influence lawmakers who need funds to campaign for re-election.
0 0 Reply • Share ›

**JoeInMissouri**
14 days ago edited
**If dumb assed Americans even remotely understood the US Constitution they would see this as the illegitimate act that it is....**

But unfortunately Americans don't have a clue as to what the supreme law of the land actually says.

**~MFP**
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**EVS**
15 days ago
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